

REMARKS

Claims 3, 5, 7, and 11-20 are currently pending in the present application, with claims 3 and 5 being written in independent form. Claims 1-2, 4, 6, 8-10, and 21 have been cancelled without prejudice or disclaimer. Claims 3, 5, 7, and 11-20 have been amended for clarity. Support for the amendments may be found throughout the originally-filed application. Thus, no new matter has been introduced into the claims.

Objections to the Specification

The specification stands objected to as containing an embedded hyperlink and/or other form of browser-executable code. This objection has been rendered moot by the present amendments. Accordingly, Applicants respectfully request the Examiner to withdraw this objection.

Claim Rejections under 35 U.S.C. § 101

Claims 1-5, 7, 12-14, 16, and 18 stand rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter. Claims 15-20 also stand rejected to under 35 U.S.C. § 101 as being improper process claims. These rejections have been rendered moot by the present amendments. Accordingly, Applicants respectfully request the Examiner to withdraw the above rejections.

Claim Rejections under 35 U.S.C. § 112

Claims 1-5, 7, and 11-20 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 15-20 also stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

Applicants regard as the invention. These rejections have been rendered moot by the present amendments. Accordingly, Applicants respectfully request the Examiner to withdraw the above rejections.

Claim Rejections under 35 U.S.C. § 102

Claims 1-3, 5, 11-15, and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US 6,376,753 (Batard). Claims 1-4 also stand rejected under 35 U.S.C. § 102(b) as being anticipated by UniProt T04730, Z15382, 1999, (Bevan). Applicants respectfully traverse these rejections for the reasons below.

Batard and Bevan, taken either individually or in combination, fails to disclose or suggest the isolated gene of amended claims 3 and 5. Thus, unpatentability cannot be established with regard to claims 3 and 5. Consequently, unpatentability also cannot be established with regard to claims 11-15 and 17, at least by virtue of their dependency from claim 3. The rejections with regard to claims 1-2 and 4 have been rendered moot by the cancellation of those claims. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the above rejections.

CONCLUSION

In view of the above, Applicants respectfully request the allowance of all the pending claims in the present application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Alex C. Chang, Reg. No. 52,716, at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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